

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

**DECLARATION OF  
DAVID S. GREENFIELD**

v.

LEONIDES SIERRA, et al.,

S511Cr. 1032-PAE

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DAVID S. GREENFIELD, ESQ., pursuant to 28 U.S.C. § 1746, hereby declares under penalty of perjury:

1. Julie Brain and I are counsel for Mr. Yandel Silverio, a defendant in this matter who is subject to the capital case review process by the United States Department of Justice.

2. The Honorable Paul E. Engelmayer has set a deadline of February 3, 2014, for the submission of mitigation submissions by the defense to the Department of Justice in connection with that process. On July 12, 2013, Judge Engelmayer issued an Order directing counsel for those defendants who declined to submit a mitigation submission prior to the deadline of February 3, 2013, to discuss with their client the impact of that decision on the scheduling of trials in this matter and to secure their client's consent. Judge Engelmayer further directed counsel to submit a declaration certifying that they had complied with this Order by November 1, 2013.

3. On October 18, 2013, I met with Mr. Silverio at the Metropolitan Detention Center where he is being detained. I discussed with him our proposal that we not file a mitigation submission prior to February 3, 2014, and the impact of that decision upon the scheduling of a trial date in the case. Mr. Silverio approved our proposal.

Dated: November 1, 2013



DAVID S. GREENFIELD, ESQ.